

## §213.317

### §213.317 Waivers.

(a) Any owner of track to which this subpart applies may petition the Federal Railroad Administrator for a waiver from any or all requirements prescribed in this subpart.

(b) Each petition for a waiver under this section shall be filed in the manner and contain the information required by §§211.7 and 211.9 of this chapter.

(c) If the Administrator finds that a waiver is in the public interest and is consistent with railroad safety, the Administrator may grant the waiver subject to any conditions the Administrator deems necessary. Where a waiver is granted, the Administrator publishes a notice containing the reasons for granting the waiver.

### §213.319 Drainage.

Each drainage or other water carrying facility under or immediately adjacent to the roadbed shall be maintained and kept free of obstruction, to accommodate expected water flow for the area concerned.

### §213.321 Vegetation.

Vegetation on railroad property which is on or immediately adjacent to roadbed shall be controlled so that it does not—

(a) Become a fire hazard to track-carrying structures;

(b) Obstruct visibility of railroad signals and signals;

(1) Along the right of way, and

(2) At highway-rail crossings;

(c) Interfere with railroad employees performing normal trackside duties;

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(d) Prevent proper functioning of signal and communication lines; or

(e) Prevent railroad employees from visually inspecting moving equipment from their normal duty stations.

### §213.323 Track gage.

(a) Gage is measured between the heads of the rails at right-angles to the rails in a plane five-eighths of an inch below the top of the rail head.

(b) Gage shall be within the limits prescribed in the following table:

Class of track	The gage must be at least—	But not more than—	The change of gage within 31 feet must not be greater than—
6 .....	4'8" .....	4'9 1/4" .....	1/2"
7 .....	4'8" .....	4'9 1/4" .....	1/2"
8 .....	4'8" .....	4'9 1/4" .....	1/2"
9 .....	4'8 1/4" .....	4'9 1/4" .....	1/2"

### §213.327 Alinement.

(a) Uniformity at any point along the track is established by averaging the measured mid-chord offset values for nine consecutive points centered around that point and which are spaced according to the following table:

Chord length	Spacing
31' .....	7'9"
62' .....	15'6"
124' .....	31'0"

(b) For a single deviation, alinement may not deviate from uniformity more than the amount prescribed in the following table:

Class of track	The deviation from uniformity of the mid-chord offset for a 31-foot chord may not be more than— (inches)	The deviation from uniformity of the mid-chord offset for a 62-foot chord may not be more than— (inches)	The deviation from uniformity of the mid-chord offset for a 124-foot chord may not be more than— (inches)
6 .....	1/2	3/4	1 1/2
7 .....	1/2	1/2	1 1/4
8 .....	1/2	1/2	3/4
9 .....	1/2	1/2	3/4

(c) For three or more non-overlapping deviations from uniformity in track alinement occurring within a dis-

tance equal to five times the specified chord length, each of which exceeds the limits in the following table, each